

Meyer Inquiry Seeks to Raise Ban on Hearings

Committee May Carry Ruling of Appellate Division Forbidding Secret Sessions to Court of Appeals

Hylan's Secretary Called

Sinnott Subpoenaed to Produce Certain Street Cleaning Department Records

The decision of the Appellate Division dismissing the appeal of the joint legislative investigating committee from the findings of Supreme Court Justice Whitaker, who held that witnesses need not be sworn before sub-committees of one, and maintained that sub-committees should consist of three or more members, may be taken to the Court of Appeals.

At the headquarters of the committee yesterday, where it was announced that such an appeal in all likelihood would be taken, it also was said that in the event the committee decided to appeal the case Governor Miller would be asked to convene the Court of Appeals in Special Term, as it now stands in adjournment until fall.

The question of appealing Justice Whitaker's decision to the highest court will be decided at a conference to-day between Elton R. Brown, counsel to the committee, and Senator Schuyler M. Moore, chairman.

Senator Meyer is for appealing the decision, especially in view of his belief that the dicta in the opinion handed down by the court provides the holding of secret sessions by the committee.

Public Hearings Postponed

The committee will not begin its public hearings to-day, as scheduled. Instead, the investigators have postponed the first open hearing until next Tuesday. Another change in the committee's plans also was made known at headquarters. The committee will not open the public hearings with evidence of alleged corruption to the city administration, but will first establish the financial condition and methods of the city government.

Yesterday a subpoena was served on Mayor Hylan's secretary and son-in-law, John P. Sinnott, directing him to produce certain books and documents of the Street Cleaning Department.

The statement made that the committee would probe the expenditures of the various public utility enterprises of the city administration on behalf of Mayor Hylan, was made known by Frederick W. Rabien, secretary of the American Olympic Committee. In the accounts published it was said that among the items of public utility expenditures was \$27,000 which was used in part for printing Mayor Hylan's picture on a souvenir on the occasion of the city's welcome to the American Olympic athletes who participated in the last Olympic games.

There was no criticism of the \$5,000 spent for the dinner to the athletes, but that of the occasion was occasion was put by Hylan's public relations expert, who was with the city's money.

Rubien Replies to Criticism

Mr. Rubien's reply, which took the form of a letter to Senator Meyer, read in part:

"We feel quite sure that the expenditure of a few thousand dollars was not a waste of money on this particular occasion in honoring the athletes who returned victoriously this year from the seventh Olympic Games. The American government made its contribution by placing a transport at the disposal of the committee and many army and navy athletes and members of the team. Accommodations on a transport, however, were found to be inadequate and the boys and girls had to sleep in getting to Antwerp and in the accommodations provided for them and also in returning home, due to the shortage of ships. Many had gone at great sacrifice and considerable inconvenience. They did it all very bravely for the glory of the country, and we regret now to see that your committee at this late date criticizes the officials who were kind enough to extend a welcome and hospitality to the returning boys and girls who had gone through so much."

Says City Did Its Duty

"Our team was welcomed in Paris and London and many of us, as New Yorkers, were proud of the fact that New York City did its full duty at the request of the Metropolitan Association of the Amateur Athletic Union, composed of about one hundred and seventy-five athletic clubs in this metropolis, representing thousands of American boys and girls at all times willing to enroll in America's best. The administration could readily have been criticized had it been remiss in performing its duty."

"It did its duty well and I, as secretary of the American Olympic Committee, regret very much that for any purpose whatever there has been criticism of the little honor that was extended to us. The city merely did its full duty and the American athletes appreciated it, and we feel quite sure that the people of the City of New York likewise will appreciate the efforts of its public officials who merely did their duty."

Gwathmey Defends Suit For Divorce in Florida

Broker, Answering Wife's Plea, Denies He Has Been Resident Here Since 1919

Archibald B. Gwathmey Jr., senior member of the brokerage firm of A. B. Gwathmey & Co., in the Supreme Court yesterday, filed his answer to the action brought by Mrs. Isabelle C. Gwathmey, to restrain him from prosecuting a suit for a divorce he has brought in Florida.

Mrs. Gwathmey, who has been living apart from her husband, alleged that he was not a bona fide resident of Florida and that she did not have sufficient funds to go there and defend the action.

In his answer Mr. Gwathmey denies that he has been a resident of New York since March 15, 1919. He also denies that he has lived at 49 West Seventy-second Street or at the Hotel Arizona since that time. He further denies that he left his wife without cause in September, 1919. The address in West Seventy-second Street is an apartment house owned by Mr. Gwathmey's father.

The son and his wife had an apartment in the house, and Archibald B. Gwathmey Jr. admits that after his separation from his wife his father evicted Mrs. Gwathmey from her apartment. Mr. Gwathmey denies the allegations of his wife that she is unable to bear the expenses of the Florida litigation and that she will be irreparably damaged if her husband is permitted to proceed with that action.

Justice Lehman, in the Supreme Court, recently awarded Mrs. Gwathmey a verdict for \$45,000 in an action to compel her husband to account for a stock account she had with a bank which he created for her.

2 Women Rescued From River At the Brink of Niagara Falls

NIAGARA FALLS, N. Y., July 5.—One woman was overcome by heat today and fell into the Niagara River a short distance above the American Falls, and another, fainting from excitement, followed her. Both were saved.

Mrs. Joseph Raines, of this city, was seated on a ledge near the water's edge, with a woman companion. Persons near the Goat Island Bridge saw Mrs. Raines and then the other woman slip into the river, and sounded the alarm.

Several men responded and snatched Mrs. Raines's companion from the water. Mrs. Raines was being swept toward the falls, when a man, who later refused to give his name, rescued her with the aid of a rope.

Edward Briggs, of Wrightsville, N. J., had obtained the rope from his automobile. The unidentified hero, taking one end, ran along the shore, passing the woman as she was being swept toward the falls.

Then he moved out directly from the shore and seized Mrs. Raines. The couple were towed to shore.

Dr. Fred Blank, of Columbus, Ohio, standing with other sightseers, gave first aid treatment to the two women.

Man Calling Himself Cigar Store Customer Is Held as Bandit; Wounded Suspect Located in Hospital

Andrew Nolan, of 338 East Thirty-fourth Street, was arrested last night following the robbery of a United Cigar Stores branch at Forty-seventh Street and Third Avenue. Three men held up the place.

Victor Trucha, clerk, who had charge of the store, and Leonard Trucha, his brother, were in the shop when the three robbers entered. When the clerk asked what they wanted all three showed they had revolvers.

One ordered Trucha to hand out the cash from his register. It contained \$50. Dissatisfied with the amount, the bandits ordered Leonard Trucha to keep his hands above his head while two of them tried to make Victor open the safe. He was unable to remember the combination in his excitement and was fumbling with the mechanism when Patrolman Vincent J. Kiernan passed.

The policeman's attention was attracted by the appearance of the younger Trucha, who was standing in full view with hands up and tears streaming down his face as he pleaded with the robbers not to hurt his brother. As Kiernan entered he heard screams from Leo Trucha, who was being pushed back by one of the bandits to make him recall the safe combination.

Two of the robbers escaped through the Forty-seventh Street entrance to the store, but Kiernan took Nolan into custody after he had assured the officer that he was a customer and not connected with the robbery. A revolver found on the glass case by Kiernan was discovered in Nolan. Both the Truchas identified Nolan as one of the robbers.

Kiernan fired two shots at the two fugitives. One later Charles Shannon, of 32 West Eleventh Street, entered his home and collapsed. He told his sister, Grace Shannon, that he had been shot by a stranger. After Shannon was visited by Kiernan, who at once identified him as one of the two men shot at by him.

Shannon is shot through the body. He is recovering from a wound which he received in a hand-to-hand struggle. The bullet that wounded him would have entered the heart but for the deformity. Hospital surgeons say Shannon will recover.

Late last night Nolan confessed his share in the hold up, the police reported.

Kansas Strike Law Attacked

New Trial Sought for Two Convicted Mine Officials

COLUMBIA, Kan., July 5.—An attack on the validity of the Kansas Industrial Court law was made to-day in the motion filed for a new trial in the case of Alexander Howat and August Dorey, Kansas miners' union officials, convicted by a jury in the District Court last week of violating the Industrial Court law by calling a strike.

PITTSBURG, Kan., July 5.—Only seven dozen mines, operated by larger coal companies, were in operation in the Kansas coal fields to-day. The miners are protesting against the conviction of Alexander Howat, president, and August Dorey, vice-president, of the Kansas Miners' Union, at Columbus last week, according to union officers.

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FIFTH AVENUE

Dempsey Can Offer Plea of Self-Defense

(Continued from page one)

and quoting Dr. Crafts while talking about his big detective:

"You can look for an explosion any day now as the result of his activities on the Fourth of July."

Dempsey's Auto Seized In \$100,000 Film Suit

Champion's New Car Attached by Frank H. Spellman Over Picture Contract Claim

Jack Dempsey lost a bout with the law yesterday without getting a chance even to put up his hands. Incidentally he lost, temporarily at least, a fine new automobile, Joseph Lanman, the intrepid deputy of Sheriff Knott, taking the car from the possession of the world's heavyweight champion on an attachment issued from the Supreme Court in an action brought by Frank A. Spellman for alleged breach of contract.

Spellman, a theatrical and motion picture promoter and sporting man, whose home is in Batavia, N. Y., is suing for \$100,000, which he says Dempsey owes him for getting Dempsey a contract with the Pathé Film Co., for the production of "Daredevil Jack," which Spellman says earned more than \$1,000,000.

Dempsey Toast Given by Georges at Press Dinner

"The Man Who Beat Me Is the Best Boxer in the World," Carpenter Tells Reporters

Georges Carpentier was the guest of honor at a dinner given by James Brown, of Editor and Publisher, and John McE. Bowman, hotel owner, at the Hotel Biltmore last night to 100 sporting writers who reported the world championship bout in Jersey City on Saturday.

Francis Deschamps, Carpentier's manager, who was one of the speakers, said that the French pugilist would not tolerate a sponge in the ring.

"We talked it over," said Deschamps, "before Carpentier went into the ring, and he said that there should be no sponge. He said, let the beaten man go down with a blow on the jaw, and that as far as he was concerned, if he was to lose, he would go down fighting and with colors flying."

Carpentier in his address, which was made through an interpreter, was profuse in expressing his gratitude for the treatment he had been accorded in America.

"When I climbed into the ring," he said, "I could see the people were all the best in the nation. The greeting I received, however, made me feel that they must have all been French."

"For the last ten years it has been my ambition and aim to be the world's champion. Last Saturday I had a try for it. You all know the result. I do not wish to look to an excuse whatsoever. The man who beat me is the best boxer in the world."

"I wish to extend all my thanks to the American people, and especially to the press for the manner in which I have been treated. And I now drink a toast to the health of Jack Dempsey."

Dayton Streetcar Men Vote On City-Wide Strike To-day

DAYTON, Ohio, July 5.—Employees of Dayton street railway companies will take a strike vote at 2 o'clock to-morrow morning. If the men vote to strike, all lines in the city will be tied up on Wednesday.

The present wage agreement ends at midnight and employees have refused to accept a 27 per cent cut in wages without the matter being arbitrated. In a last-minute statement to-day the companies promised a reduction in fare if the men do not strike. The companies refuse to recognize the union organization.

Four men were waylaid and robbed early yesterday morning at Ninety-sixth Street and Riverside Drive. Sailors are said to have been responsible. A group of men in uniform are said to have been loitering around a drinking fountain near there, attacking pedestrians when they paused to drink. One man has been arrested in connection with the case.

After the four persons who had been assaulted came to the West 100th Street police station, some of them badly beaten, detectives went out and arrested Leon Eccleston, twenty-one years old, a former sailor. According to the police he was with the gathering of uniformed men who broke and ran when the detectives approached.

All but one of the victims are said to have identified Eccleston as their assailant. He was arraigned in West Side Court on a charge of assault and robbery and held in \$2,000 bail on each of the three complaints.

In all the thieves got about \$125 and

Park Suicide Identified As Captain of U. S. Ship

Engineer Recognizes Body of Officer Who Commanded the Steamer Westfield

William D. Cosgrove, of 1311 St. John's Place, Brooklyn, yesterday identified a man who shot and killed himself in Bryant Park as Captain Andrew Dalsted, who commanded the United States Shipping Board boat Westfield during the war.

Cosgrove said he had served under Captain Dalsted for six months. He said that probably Dalsted had no relative in this country. He told the authorities the navigator was fifty-four years old and a native of Sweden. He was attached to the United States Army transport service in the Philippines. During the war Captain Dalsted received his captain's papers and at Seattle received command of the Westfield. Cosgrove was assigned to the same ship as chief engineer. He said Captain Dalsted was a thirty-second degree Mason. He could not account for the suicide.

New Gun May Develop Range Of 300 Miles

(Continued from page one)

otherwise, who has a patentable idea that has been pronounced by any expert to be worthy of investigation. The purpose is to encourage inventors who have no funds and to prevent duplication and waste through attempts to develop worthless schemes or devices that already have been worked out.

International Aspect

The organization is to be known as Miller Reese Hutchison, Inc. Its promoters include Sir Edgar Rees Jones, formerly of the British Ministry of Munitions; Hudson Maxim, inventor of smokeless powder; Rear Admiral Samuel M. McGowan, formerly paymaster of the Navy; William M. Williams, formerly Commissioner of Internal Revenue; Alfred D. Flinn, deputy chief engineer in the construction of the Catskill water supply; E. D. Carney, engineer; George E. Dean, patent expert; Richard B. Scandrett Jr., attorney; and Embury McLean, engineer.

"We will endeavor to serve as a connecting link between inventor, businessman and banker," said Mr. Hutchison. "The typical inventor does not understand to the banker. Hence an interpreter is necessary. When an invention is recommended to us we will put it to every conceivable test. Then it will be tested in practice and if it proves successful we will protect every right of the inventor."

In connection with the announcement Mr. Hutchison predicted the invention of a flying machine by which individuals with their own strength will be able to fly like birds. He did not say that any such device had come under his notice.

"I hope soon to be able to announce plans for the relief of deaf mutes," he said. "I am looking forward to the perfection of an instrument by which fully 60 per cent of children now deaf and mute may be enabled to hear and talk."

Four Held Up in Drive; Accuse Gang of Sailors

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In all the thieves got about \$125 and

some jewelry. The police are also investigating the statement of two of the complainants that they saw the robbers lift a girl bodily off the walk and carry her down toward the railroad tracks.

Defense Ignores Jury Picked in Murder Trial

Will Have No Part in Hearing, Says Counsel After Losing Fight for Postponement

LOUISVILLE, Ky., July 5.—Before a jury chosen without protest or challenge by the defense, a situation unprecedented in the history of the Jefferson Circuit Court, Walter P. Stamp, charged with the murder of W. Smith Russell on June 1, will go on trial to-morrow morning.

Prior to selection of the jury Mr. Huggins made a determined fight for anything to do with the jury and the state's acceptance was taken as final by Judge Harry W. Robinson and the jury sworn.

When the jury box was filled and the state announced that it had accepted the jury as it stood Mr. Huggins said: "The defendant has no part in this trial, he has been denied his legal right. He is mute and his counsel is ill."

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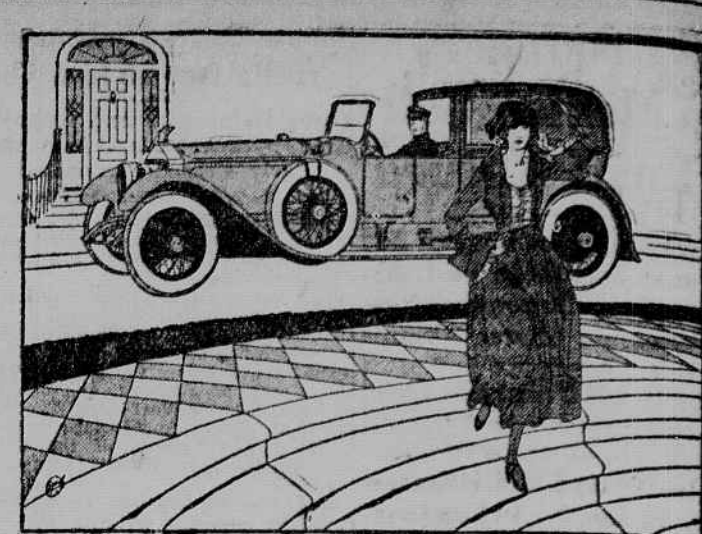
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